



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Office of the Secretary
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2855



RON CURRY
SECRETARY
DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

August 26, 2003

Elizabeth Withers
NEPA Compliance Officer
Los Alamos Site Office
528 35th Street
Los Alamos, N.M. 87544

FAX: (505) 667-9998

Dear Ms. Withers:

RE: PDEA: PROPOSED LOS ALAMOS NATIONAL LABORATORY (LANL) TRAILS
MANAGEMENT PROGRAM (DOE/EA 1431)

This transmits New Mexico Environment Department (NMED) staff comments concerning the above-referenced Predecisional Draft Environmental Assessment (PDEA).

BACKGROUND

The proposed action would implement a Trails Management Program at LANL to address trails used by the public, LANL workers and guests. A Trails Assessment Working Group would be established and make recommendations for specific decisions within the scope of the proposed action. The scope described in this document minimizes adverse environmental impacts and would provide a mechanism to implement the relevant decisions and mitigation measures from the record of decisions of previous Environmental Impact Statements. The PDEA states:

Repair, construction, environmental protection, safety, and security measures would be formulated and implemented. End-state conditions and post-repair or post-construction assessment would be performed foster a more balanced use of LANL trails while allowing some recreational use to continue. The establishment of a Trails Management Program would result in enhanced protection of cultural resources with minimal to negligible effects on the other LANL resources.

A second alternative presented though not proposed was the Trails Closure Alternative.

The No Action alternative was described for baseline comparative analysis, as required by NEPA.

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We concur with DOE's Proposed Action to develop a Trails Management Program and believes it will help to implement the Mitigation Action Plan developed following the Record of Decision for the LANL Site-Wide Environmental Impact Statement, as well as other recent EIS mitigation actions.

There are several specific comments that we offer which may help the DOE improve the accuracy and readability of the final Environmental Assessment.

COMMENTS

General Comment 1:

The descriptions in Chapter 3, Affected Environment, sometimes repeat language we have seen in other NEPA documents. Comments we have made at those times have not always been addressed and hence what we believe are errors are repeated. The boiler plate language used to make the production of these documents more efficient should have a detailed review and incorporate corrections. This will allow all parties to focus on those details pertinent to the particular EIS or EA while not providing poor background information to the decision makers.

There are also occasions where speculation is juxtaposed with factual statements. These probably correspond to areas which are not particularly important to the final decision. However, when there is no information to provide to the decision maker, opinions should not be substituted.

Specific Comment 1: 2.1.1, Individual Project Planning Measures, p. 14

LANL would lead and coordinate a standing Trails Assessment Working Group to advise the LANL Associate Director of Operations on trails management. It would "convene as necessary." It would consist of LANL cultural, ecological, health and safety, security, site planning, and facilities specialists and representatives from NNSA, Los Alamos County, Bandelier National Monument, the Santa Fe National Forest, and the four Accord Pueblos. Recommendation: The benefits of the Trails Assessment Working Group would be clearer if a minimum schedule for convening and a mechanism for including trail users input were defined.

Specific Comment 2: 2.5.2, Final . . . for the Conveyance and Transfer of Certain Land Tracts . . . , p. 23

"Tribal Management Program," the final three words of this section, may be an error. The DOE may have meant to have the sentence read, "Trails on lands conveyed or transferred would not be included in the Trails Management Program."

Specific Comment 3: 3.4, Water Quality, p. 29

Perennial springs within LANL supply base flow to streams in some canyons. This is a significant omission as the source of these springs may be the same alluvial and intermediate perched zones which have been affected by LANL operations. Recommendation: Change the language in section 3.4 to reflect a more up-to-date and accurate description of the surface waters on LANL.

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Specific Comment 4: 3.7, Health and Safety, p. 30

The document states that workers "are generally considered" and trail users "would generally be" of a specific health condition. Statements like these, which may lead to conclusions based on implied general knowledge, do not provide a strong basis for decision-making. Recommendation: In this section and in others, information provided in the EA upon which decision makers rely should be interpretations of facts and data, and not implied general knowledge.

Specific Comment 5: 3.11, Air Quality, p. 33

The EA comments "LANL employees take appropriate steps to control fugitive dust and particulate emissions during construction activities. Best Achievable Control Measures such as the use of water sprays or soil pacifiers are used to reduce fugitive dust emissions from cleared areas." Recommendation: It would strengthen this statement to cite the policy, SOP or other document which directs, informs, cajoles or requires LANL employees to take appropriate steps. Knowing if these requirements do or do not apply to contractors may also assist decision makers.

Specific Comment 6: 3.11, Air Quality, p. 33

The EA states, "Annual dust emissions from daily windblown dust are generally higher than short-term, construction-related dust emissions." This could indicate either that construction practices in this area are very good, or other site environmental factors are very bad. It opens up the question, not properly related to this EA, about what is being done about the high level of fugitive dust emissions at LANL. It also could leave a decision maker wondering what the cumulative effect of both sources of dust emissions might be. Recommendation: It may be possible to find a different benchmark to demonstrate that construction related dust emissions make a relatively small contribution to the overall dust emissions. Quantifying the overall dust emissions at LANL may provide meaningful contextual information.

Surface Water Quality Comments

The U.S. Environmental Protection Agency (USEPA) requires National Pollutant Discharge Elimination System (NPDES) permit coverage for storm water discharges from construction projects (common plans of development) that will result in the disturbance (or re-disturbance) of one or more acres, including expansions, of total land area. Because this project may exceed one acre, it may require appropriate NPDES Construction General Permit coverage prior to beginning construction.

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil & grease and construction materials from construction sites) in storm water runoff from entering waters of the U.S. This permit also requires that permanent stabilization measures (revegetation, paving, etc.), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters.

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You should also be aware that EPA requires that all "operators" (see Federal Register/Vol. 68, No. 39087/Tuesday, July 1, 2003) obtain NPDES permit coverage for construction projects. Generally, this means that at least two parties will require permit coverage. The owner/developer of this construction project who has operational control over project specifications (probably the Department of Energy) and the general contractor who has day-to-day operational control of those activities at the site, which are necessary to ensure compliance with the storm water pollution plan (and other permit conditions), will require appropriate NPDES permit coverage for this project. Additional entities requiring permit coverage may include the University of California (as of this writing) and possibly other corporations or institutions that meet the regulatory definition of "operator."

Finally, any project that involves dredge and fill work in a water of the U. S. (river, creek, arroyo, gully, etc.) must obtain a Section 404 (of the Clean Water Act) permit from the Corps of Engineers. Almost all permits for work in a perennial stream have the condition of State water quality certification (Section 401).

We appreciate the opportunity to comment on this document.

Sincerely,



Gedi Cibas, Ph.D.
Environmental Impact Review Coordinator

NMED File No. 1753ER



Public Comments on the Predecisional Draft Environmental Assessment for the Proposed Los Alamos National Laboratory Trails Management Program, Los Alamos, New Mexico

Public Meeting
Wednesday July 30th, 2003
6pm - 8 pm
Fuller Lodge
Los Alamos, New Mexico

Comments to be considered in the Environmental Assessment (EA):

Please use other side if necessary. I am an avid mountain biker and hiker. I am also a member of the Tuff Riders Mountain Bike Club and of the International Mountain Bike Association (IMBA). One of the reasons my wife and I moved to Los Alamos was because of the varied access to recreational activities within the town limits. This convenience is very important to us, as well as most of the citizens of Los Alamos. This is also a huge draw to tourists as well as new employees to LANL. I think that implementing a trails management program is a good idea.

If you would like a response please provide your name and a mailing address:

James Belofzik

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

☒

No Thanks

If "Yes", where should it be sent?

address listed above.

If you would like to mail your comments send them to:

Elizabeth Withers, NEPA Compliance Officer
Los Alamos Site Office
528 35th Street, Los Alamos, NM 87544; via fax (505) 667-9998; by e-mail to: ewithers@doeall.gov; or by calling (505) 667-8690.

The public comment period ends August 5, 2003.

idea. Especially in the fact of trail maintenance and in determining which trails should be re-routed because of being too near to sensitive areas of the lab, management is a good idea but complete closure to all recreational use will cause an enormous negative impact upon the quality of recreational activities in this area.

I also ask that you please consider inviting members of some of the recreational clubs in Los Alamos to take part in any trail committees. In my case, the Tuff Riders Mountain Bike Club. I urge that you please not consider permanent trail closure for recreational use as an option towards management of trail access.

Thank you and please continue to keep the community informed.

James Belofzik



Public Comments on the Predecisional Draft Environmental Assessment for the Proposed Los Alamos National Laboratory Trails Management Program, Los Alamos, New Mexico

Public Meeting
Wednesday July 30th, 2003
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Comments to be considered in the Environmental Assessment (EA):

Please use other side if necessary.

I favor the Trails Management Plan Alternative, with repairs, and well-advertised, public input. As much as possible, the trails should remain open - especially those providing connections between...

If you would like a response please provide your name and a mailing address:

(cont. on other side)

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

No Thanks

If "Yes", where should it be sent?

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the townsites and Lab, townsites and ^{national} forest ~~and~~ and Bandelier trails, Lab and ~~townsites~~ (and DOE) national forest and Bandelier trails. We have a wealth of beautiful trails that are highly valued by the community and are currently an important part of our lives.



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Comments to be considered in the Environmental Assessment (EA):
Please use other side if necessary.

I strongly urge DOE/NNSA and LANL to do their best to keep all possible trails open. I support protecting our natural resources, but I know both goals can be accomplished. A key reason many of us consented to move →

If you would like a response please provide your name and a mailing address:

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes



No Thanks

If "Yes", where should it be sent?

Nancy Ambrosiano
~~528 35th Street, Los Alamos, NM 87544~~
~~505 667-8690~~

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*to this remote area is access to the land.
We pay hugely inflated home prices for the privilege of living up here, leave our families far behind and other horse facilities behind. Don't take away one of the key "Quality of Life" benefits this laboratory can offer, please! Imagine buying lakeside property, then having the lake closed!*

I am an active trail user, head of a local youth horseman's club, and access to these trails is critical to my weekly activities. For our conditioning work for competition, we are on the trails 3 or 4 days a week. If the trail access off Gianto Acres is blocked, our conditioning gallops (2 to 4 miles each day) will have to move to the roadside, a serious safety issue, especially for our kids.

We are happy to work in concert w/ the Lab committee, as we think of ourselves as the good guys - we have been asked by the Bandelier rangers to be an 'eye' in the forest for identifying potential archaeological site damage, vandalism, etc. To face possible expulsion from the land is devastating and makes me far more likely to accept a job offer from elsewhere.
Thank you, Nancy Ambrosiano



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Comments to be considered in the Environmental Assessment (EA):
Please use other side if necessary.

#1 Trail user groups must be identified & contacted as part of proposed action - especially the "LANL - Sanctioned" groups like the Tuff Riders.
see other side for more

If you would like a response please provide your name and a mailing address:

Bert VandeLan Ples - [redacted]

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

No Thanks

If "Yes", where should it be sent?

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#2 Presentation @ meeting was overwhelmingly negative - No positive reasons for keeping trails was presented UNTIL issue was raised.

#3 Closure or restrictions tremendously impact socioeconomic issues. IF a commuter can't trust that a trail will be open - the commuter must find another commuting option (typically using the roads - a much more damaging and dangerous option).

#4 Mental health impact on LANL workers - use of trails on breaks - having lunch etc. provides a great stress reliever.

#5 closing ALL trails (as currently is the situation) creates a security problem because now security has to patrol the entire 52 sq. mi. continuously because there are no people present to observe any suspicious activities.



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The "statement of purpose and need for agency action" clearly lays out the reasons for the proposed program. However, the "primary considerations" list make no mention of long

If you would like a response please provide your name and a mailing address:

P. C. Gray

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

X

No Thanks

If "Yes", where should it be sent?

Same as above address

If you would like to mail your comments send them to:

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consideration in decisions for impact on quality of life for the Los Alamos community. The people in direct contact with the lab have a major stake in the recreational use of appropriate laboratory trails, both for their own use and the effect their loss would have on property value and tourism.

The access to these trails was allowed for a purpose, and those purposes are still valid and should be a major consideration in any action taken with regard to maintenance or closure.

In addition to this the Laboratory



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Comments to be considered in the Environmental Assessment (EA):
Please use other side if necessary.

Tuff Riders Mountain Bike Club is a LANL sanctioned organization that has tremendous trail maintenance management experience. Rick Kelly is trail access committee chair.

If you would like a response please provide your name and a mailing address:

Lain - Bent Vanden Plas

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

No Thanks

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The proposed action does have potential positive impacts that have NOT been clearly communicated such as:

- ① Current lack of plan allows TOTAL closures at the WHIM of LANL
- ② There are no resources spent on improving the tremendous ASSET these trails represent to LANL, the DOE, NNSA, Los Alamos, and visitors to the area.
- ③ There is no coordination with neighbors on trail use issues - both positive & negative.
- ④ There is NO coordination within LANL between HHS, Security, Human Resources, field workers, facility operators, etc.
- ⑤ There is no way to tap into the community to assist with mitigating any potential negative impacts.

Finally - This needs to be presented in a much more POSITIVE light. People WANT to know "WHAT'S in it for me" & will approach this from a very NEGATIVE viewpoint such as: "They are taking MY trails!"



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Comments to be considered in the Environmental Assessment (EA):
Please use other side if necessary.

Tuff Riders Mountain Bike Club is a LANL sanctioned organization that has tremendous trail maintenance management experience. Rick Kallie is trail access committee chair.

If you would like a response please provide your name and a mailing address:

Lain - Bart Vanden Plas

Would you like us to send you a copy of the final EA and Finding of No Significant Impact?

Yes

No Thanks

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~~THE~~ REASONING IS AS FOLLOWS,

1. ANCHO AREA TRAILS PROVIDE A VALUABLE WINTER RECREATIONAL OPPORTUNITY, WHEN OTHER AREA TRAILS ARE TYPICALLY TOO SNOWY FOR WORTHWHILE HIKING.
2. LOS ALAMOS CANYON TRAILS PROVIDE POTENTIAL FOOT LINKS FROM TOWNSITE TO ADJACENT TECH AREAS 3, 6, 53 ETC. WHICH ~~DO~~ PROVIDE A USEFUL ALTERNATIVE COMMUTING PATH.
3. IN GENERAL, I BELIEVE THAT THE TRAIL NETWORK ARE A SIGNIFICANT DRAW FOR BOTH ^{POTENTIAL} LANL EMPLOYEES AND TO A LESSER EXTENT TOURISTS, AND FOR RESIDENTS MAKE THIS A MUCH Nicer PLACE TO LIVE THAN IT WOULD BE OTHERWISE. THUS I THINK IT IS IN LANL'S BEST INTEREST TO LEAVE THEM OPEN WHENEVER PRACTICAL.